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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicant: Tanner et al.

Docket No.: RPS6097-US

Serial No.: 10/016,352

Examiner: (not assigned)

Filing Date: November 2, 2001

Art Unit: 1732

Entitled: APPARATUS AND METHOD FOR MANUFACTURING ENCAPSULATED PRODUCTS

#4

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(A)**

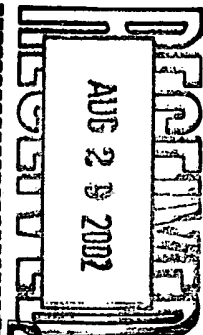
Date of Deposit: 8/21/02

I hereby certify that this correspondence is being deposited with the U.S. Postal Service, with sufficient postage, as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Jennifer Warner*  
Jennifer Warner

**INFORMATION DISCLOSURE STATEMENT**

As authorized and encouraged under 37 C.F.R. §§1.97-1.98 and the provisions of MPEP §§609 and 707.05(b), Applicants submit herewith certain patent references, publications and/or other information which the Patent and Trademark Office may wish to consider in examining the above-identified patent application. These references and information are listed below and on attached form PTO-1449.



RECEIVED

AUG 28 2002

TC 1700

### **U.S. PATENT DOCUMENTS**

<b>U.S. PATENT NUMBER</b>	<b>INVENTOR(S)</b>
1,970,396	R.P. Scherer
2,288,327	R.P. Scherer
2,774,988	F.E. Stirn et al.
2,775,257	F.E. Stirn et al.
4,028,024	Moreland
4,817,367	Ishikawa et al.
4,940,499	Lebrun et al.
5,146,730	Sadek et al.
5,246,635	Ratko et al.
5,735,105	Stroud et al.
5,740,660	Rowe
5,761,886	Parkihideh
6,022,499	Schurig et al.
6,217,902	Tanner et al.

### **FOREIGN PATENT DOCUMENTS**

<b>DOCUMENT NUMBER</b>	<b>APPLICANT(S)</b>	<b>COUNTRY</b>
WO 01/03677	R.P. Scherer Limited	PCT
WO 94/13249	R.P. Scherer Corporation	PCT

### **OTHER DOCUMENTS**

1. "The Theory and Practice of Industrial Pharmacy" (Lachman, Liberman and Kanig), 3d. edition, published by Lee & Febiger
2. "Softgel (Soft Gelatin Capsule) Update, Robert F. Jimerson, Reprinted from *Drug Development and Industrial Pharmacy* (Interphex '86 Conference) Vol. 12, No. 8 & 9, 1986.

A copy of each document is included for the express purpose of providing the Patent and Trademark Office with ample opportunity to evaluate the same and arrive at an independent assessment of the materiality of each, if any, to the examination of the above-identified application.

In reviewing the enclosed copies of the above documents, the Examiner is instructed to ignore any underscoring or highlighting which may have been done because such markings may

or may not have any relationship to the subject matter of the above-identified application. The copies being submitted with this Information Disclosure Statement are the best copies available at this time.

The identification of any document herein is not intended to be, and should not be understood as being an admission that each such document, in fact, constitutes "prior art" within the meaning of applicable law.

Applicants submit this statement in accordance with their duty of disclosure under 37 C.F.R. §1.56. This statement is filed in accordance with 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits. Therefore, it is believed that as a result of no action being taken on this file as of the filing date of this disclosure, no fee is due by Applicant.

Applicant respectfully requests that the documents cited herein be made of record in the normal manner and that such documents appear on the printed patent as being considered and made of record.

Respectfully submitted,

Date: Aug 21, 2002

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